



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*JFW*

Applicant: COSENTINO ET AL.  
Serial No.: 10/719,408  
Filed: NOVEMBER 21, 2003  
Confirmation No.: 3341  
Due Date: FEBRUARY 22, 2007 (30 DAY DATE)  
Title: APPARATUS AND METHOD FOR MONITORING AND COMMUNICATING WELLNESS PARAMETERS OF AMBULATORY PATIENTS

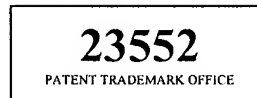
Examiner: M. ASTORINO  
Group Art Unit: 3736  
Docket: 12771.1USC1

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 22, 2007.

By: *Kristine A. Wacek*  
Name: Kristine A. Wacek

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: *Erik G. Swenson*  
Name: Erik G. Swenson  
Reg. No.: 45,147  
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S/N 10/719,408

PATENT

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Applicant: COSENTINO ET AL. Examiner: M. ASTORINO  
Serial No.: 10/719,408 Group Art Unit: 3736  
Filed: NOVEMBER 21, 2003 Docket No.: 12771.1USC1  
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By:   
Name: Kristine A. Wacek

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed January 23, 2007. Enclosed for the Examiner's information is a copy of the International Search Report.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(1)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication

from a foreign patent office in a counterpart foreign application within three months of filing this statement.

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.


Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 2/22/07

  
Erik G. Swenson  
Reg. No. 45,147  
EGS:PLSkaw

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

12771.1USC1

Application Number:

10/719,408

Applicant: COSENTINO ET AL.

Filing Date: 11/21/2003

Group Art Unit: 3736



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004/0122297 A1	06/24/2004	Stahmann et al.			
	2004/0147969 A1	07/29/2004	Mann et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Lüthje, L. et al., "Detection of heart failure decompensation using intrathoracic impedance monitoring by a triple-chamber implantable defibrillator," <i>Heart Rhythm</i> , Vol. 2, No. 9, pp. 997-999 (September 2005)

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.